

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re Application of)

MARTHA J. HUBER, et al.,)

For Construction Permit for a)
New FM Station on Channel 234A)
In New Albany, Indiana)

MM Docket No. 93-51

To: The Honorable Richard L. Sippel
Administrative Law Judge

CONSENT MOTION TO MODIFY PROCEDURAL DATES

Staton Communications, Inc. ("Staton"), by its attorneys, hereby moves the Presiding Judge to modify the procedural schedule which is currently in effect. The proposed modification would not affect the currently scheduled hearing date, but would significantly compress the time between that date and the initial exchange of written direct testimony. All parties, including the Bureau, have consented to the proposed modification. The parties-applicant are all in agreement that the modification will serve the public interest purposes noted below.

There are several compelling reasons for the proposed modification. First, there have been a number of basic issues added against every applicant in the proceeding since the procedural schedule was first adopted. In the case of Brent, issues were added as recently as last Thursday. Discovery on these

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issues is nowhere near completion, and parties are in the position of having to prepare direct testimony without full discovery. Second, there is considerable disagreement among the parties as to whether the currently scheduled exhibit exchange date applies only to comparative exhibits or to exhibits on the basic issues as well. By deferring the exchange date, a clear and consolidated date will apply to all direct testimony. Third, the parties are actively engaged in settlement discussions. The need to prepare direct testimony while at the same time pursuing discovery on these issues has actually deterred the progress of settlement talks. Finally, there will be no ultimate delay in the resolution of this proceeding by the compression process proposed here.

The following schedule is proposed:


July 16, 1993	-	Exchange of all written direct on both basic and comparative issues and joint engineering.
July 20, 1993	-	Witness notification.
July 23, 1993	-	Opposition to witness notification.

The August 3rd and August 10th admission session and hearing date would remain as presently scheduled.

Because the current exchange date impends imminently, Staton, joined by the other parties, respectfully requests prompt action on this request, with telephonic notification.

Respectfully submitted,
STATON COMMUNICATIONS, INC.

By:


DONALD J. EVANS
Its Attorney

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June 22, 1993

CERTIFICATE OF SERVICE

I, Sherry L. Schunemann, a secretary in the law firm of
McFadden, Evans & Gill, do hereby certify that true and correct